

**CHAPTER NO. 816**

**HOUSE BILL NO. 3879**

**By Representatives Russell Johnson, Armstrong**

**Substituted for: Senate Bill No. 3812**

**By Senator Kilby**

AN ACT to amend Tennessee Code Annotated, Section 40-11-317, relative to professional bondsmen.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-11-317 is amended by deleting the section in its entirety and by substituting instead the following:

Section 40-11-317. (a) In addition to any other qualifications required by law, the petition or license application for a person seeking to become a professional bondsman shall have attached to it an affidavit setting forth the criminal history, if any, of the petitioner or applicant. If the affidavit is found to be inaccurate, the petitioner or applicant shall be immediately disqualified as a professional bonding person. In addition, such applicant or petitioner shall submit to a criminal history background check by the Tennessee bureau of investigation as provided for under Section 38-6-109 and shall be responsible for any fees for such criminal history background check. The results of the criminal background check shall be submitted by the Tennessee bureau of investigation to the clerks of the court responsible for regulating the activities of the professional bondsman.

(b) Any applicant for approval as a bonding company owner shall have at least two (2) years experience with a professional bonding company in good standing.

(c) If a court finds that a bondsman has individually or as a corporation owner been discharged in a bankruptcy proceeding leaving unsatisfied outstanding forfeitures with any court, then the court may order that such bondsman shall be prohibited from executing bonds, bail or other undertakings as surety in such court.

SECTION 2. This act shall take effect July 1, 2006, the public welfare requiring it.

PASSED: May 17, 2006

  
JIMMY RAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

APPROVED this 2nd day of June 2006

  
PHIL BREDESEN, GOVERNOR